

HB6706 AN ACT CONCERNING THE FILING FEE FOR THE STATE BOARD OF MEDIATION AND ARBITRATION

Senator Winfield, Representative Tercyak, Ranking Member Rutiglia, Honorable members of the Labor and Public Employees Labor Committee, my name is Raymond Shea, a permanent member of the State Board of Mediation and Arbitration. I appear on this day in seeking your support of HB 6706, advising you as to why the per diem for permanent and alternate members of our Board of Arbitration is needed. This is a two faceted Bill as you see. Over many years the filing fee of \$25 has been inexistence for far too long, where the second portion of HB6706, covers the inequity of two separate per diems and has been literally disregarded. To that end, in correcting an unintended error in payment of per diems. Doing so, will immediately level the playing field in handling grievance arbitration. We believe the time for a \$25 increase is appropriate for both the employee and the employer. You will find it fair and equitable, supported by our Labor Commissioner.

Currently, the per diem for all arbitrators is a \$225 a day for each hearing. In a number of instances this hearing may find itself having to continue with the per diem rate being reduced to \$150 a \$75 loss. There are some cases, as your attachment will show of having to go beyond one, two, three and some case even four days. In all those continuing cases the per diem rate is at the \$150 rate, regardless of the length of time for the said hearing. There are a number of reasons for the continuing of a case, for example, the severity of the grievance may cause one, or more witnesses, who would be directly examined and , of course, cross examined, followed by redirect and recross examination. .Personally, there have been times when I, among others, have been involved in a countless number of those multi -day hearings. The addendums provided show the problem existed for far too long, thereby, created a more level and correct per diem pf the past.

Grievance arbitration and Interest arbitration are quite different inasmuch as our completion of a grievance hearing requires an Executive Session for final adjudication without study days as in Interest Arbitration. Our Executive Panel Sessions are held in about two weeks following the Parties Briefing schedule for final adjudication. If I may just add one last point. Between the Briefs and Exec Session there are no study days.

Thank you for you very kind attention, hoping you see the matter of our ways lending support for HB 6706 . I'll be happy to respond to any questions in thanking you.

Respectfully

Raymond D Shea

6704

STATE BOARD OF MEDIATION AND ARBITRATION

EQUITY PER DIEM FOR STATE BOARD OF MEDIATION ARBITRATORS

As a result of P.A. 99-270 the General Assembly enacted Legislation increasing the per diem to members serving as Arbitrators of the State Board of Mediation and Arbitration, (hereinafter SBMA), beneficiaries of whom, are 8 Neutral members, along with 21 Management and 11 Labor members, respectively.

In 1999, per diem adjustments were enacted creating an unintentional error making the per diem inequitable. Currently, Arbitrators are paid at a per diem rate of \$225 for the initial hearing. However, any additional hearings on the same case are paid at the per diem rate of \$150, a reduction of \$75. Therein, lies the inequity. Safe to say, there is unfairness to those dedicated Arbitrators at the present time. In this regard all SBMA Arbitrators are impacted by the disparate payment.

Appropriately, a change in the rate somewhat corrects the said inequity by the following:

Beginning July 1, 2015, fiscal year a \$25 adjustment on all case hearings extending beyond one day, brings the additional \$25. Effective January 1, 2016, an additional payment of \$25. intended for all hearings extending beyond one day to \$225 equalizing the per payment as in the initial hearing of \$225. Arbitrators will, be paid for all hearings on each case closer to the same rate as the initial hearing. It is only then that the per diem rate will be the most appropriate. Further, Neutral Arbitrators per diem shall be increased by \$25 .

Acceptance of this proposal would develop into fairness and equity to those most deserved Arbitrators who serve both Management and Labor in the highest of esteem.

YOU MAY ASK WHY?

1. Amending the Statutory language would bring a more rational diem paid for in all hearings, singular or multiple.

2. Labor Commissioner previously testified

Estimated Cost:

Current:	Hearings	FY 7-1-15	FY 1-1-16	FY 7-1-16
1st Hearing----\$225	516	N/C		
2 nd Hearing----\$150	100	\$25 x 3 = \$7500	25 x 3 = \$7500	\$25 x 3 = \$7500
3 rd Hearing----\$150	42	\$25 x 3 = \$3150	25 x 3 = \$3150	\$25 x 3 = \$3150
4 th Hearing----\$150	20	\$25 x 3 = \$1500	25 x 3 = \$1500	\$25 x 3 = \$1500
Beyond 4th ----\$150	2	\$25 x 3 = \$ 150	25 x 3 = \$ 150	\$25 x 3 = \$ 150
		Total = \$12 ,300	Total \$12,300	Total \$12,300